

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<b>I. (a) PLAINTIFFS</b> Kerri L. Moller		<b>DEFENDANTS</b> A-Plus Benefits, Inc. & Everest Administrators, Inc.																																					
(b) County of Residence of First Listed Plaintiff <u>Utah</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small>		County of Residence of First Listed Defendant <u>Utah</u> <small>(IN U.S. PLAINTIFF CASES ONLY)</small>																																					
(c) Attorneys (Firm Name, Address, and Telephone Number) Daniel L. Steele of Stucki, Steele & Rencher, LLC 215 South State Street, Suite 600 Salt Lake City, UT 84111      801.961.1300		Attorneys (If Known)																																					
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)																																					
<input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)		(For Diversity Cases Only) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">           Citizen of This State      <input checked="" type="checkbox"/> 1      <input type="checkbox"/> 1         </td> <td style="width: 33%; text-align: center;">           Incorporated or Principal Place of Business In This State      <input type="checkbox"/> 4      <input checked="" type="checkbox"/> 4         </td> </tr> <tr> <td style="text-align: center;">           Citizen of Another State      <input type="checkbox"/> 2      <input type="checkbox"/> 2         </td> <td style="text-align: center;">           Incorporated and Principal Place of Business In Another State      <input type="checkbox"/> 5      <input type="checkbox"/> 5         </td> </tr> <tr> <td style="text-align: center;">           Citizen or Subject of a Foreign Country      <input type="checkbox"/> 3      <input type="checkbox"/> 3         </td> <td style="text-align: center;">           Foreign Nation      <input type="checkbox"/> 6      <input type="checkbox"/> 6         </td> </tr> </table>		Citizen of This State <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4	Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6																														
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;"> <b>CONTRACT</b> </td> <td style="width: 25%; text-align: center;"> <b>TORTS</b> </td> <td style="width: 25%; text-align: center;"> <b>BANKRUPTCY</b> </td> <td style="width: 25%; text-align: center;"> <b>OTHER STATUTES</b> </td> </tr> <tr> <td style="text-align: center;"> <input type="checkbox"/> 110 Insurance  <input type="checkbox"/> 120 Marine  <input type="checkbox"/> 130 Miller Act  <input type="checkbox"/> 140 Negotiable Instrument  <input type="checkbox"/> 150 Recovery of Overpayment &amp; Enforcement of Judgment  <input type="checkbox"/> 151 Medicare Act  <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)  <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits  <input type="checkbox"/> 160 Stockholders' Suits  <input type="checkbox"/> 190 Other Contract  <input type="checkbox"/> 195 Contract Product Liability  <input type="checkbox"/> 196 Franchise         </td> <td style="text-align: center;"> <b>PERSONAL INJURY</b>  <input type="checkbox"/> 310 Airplane  <input type="checkbox"/> 315 Airplane Product Liability  <input type="checkbox"/> 320 Assault, Libel &amp; Slander  <input type="checkbox"/> 330 Federal Employers' Liability  <input type="checkbox"/> 340 Marine  <input type="checkbox"/> 345 Marine Product Liability  <input type="checkbox"/> 350 Motor Vehicle  <input type="checkbox"/> 355 Motor Vehicle Product Liability  <input type="checkbox"/> 360 Other Personal Injury  <input type="checkbox"/> 362 Personal Injury - 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<input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 29 U.S.C. Section 1001 et seq.																																					
<b>VI. CAUSE OF ACTION</b>		Brief description of cause: ERISA																																					
<b>VII. REQUESTED IN COMPLAINT:</b>		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.      DEMAND \$ 10,800.00      CHECK YES only if demanded in complaint: <b>JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																																					
<b>VIII. RELATED CASE(S) IF ANY</b>		(See instructions): JUDGE _____ DOCKET NUMBER _____																																					
DATE 10/04/2013		SIGNATURE OF ATTORNEY OF RECORD /s/ Daniel L. Steele																																					
<b>FOR OFFICE USE ONLY</b>																																							

Case: 2:13-cv-00903  
Assigned To : Pead, Dustin B.  
Assign. Date : 10/4/2013  
Description: Moller v. A-Plus Benefits et al